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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Helene Gabel

DATE: November 1, 2002
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In Re:	Patent Application of Ian Hector Frazer <i>et al.</i>	: Group Art Unit 1636	NOV 08 2002
Conf. No.:	4929	:	TECH CENTER 1600/2900
Appln. No.:	09/900,345	: Examiner: Terry Alan McKelvey	
Filed:	July 6, 2001	:	
For:	METHOD AND POLYNUCLEOTIDES FOR DETERMINING TRANSLATIONAL EFFICIENCY OF A CODON	: Attorney Docket No. 10338-5 US (2423066/VPA)	

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the outstanding Office Action dated October 2, 2002 (Paper No. 12), concerning the above-identified application.

Please amend the above-identified application, without prejudice, as follows:

In the Claims:

Please cancel claims 1-6 and 11-22, without prejudice to their inclusion in one or more related applications.

Please amend claim 7, without prejudice, as shown in the accompanying document entitled "Marked Up Amended Claim 7, As Amended . . .," to read as follows:

--7. A synthetic construct comprising a regulatory polynucleotide operably linked to a tandem repeat of a codon fused in frame with a reporter polynucleotide that encodes a reporter protein.--

Please add the following new claims 23-57.

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--23. (New) The construct of claim 7, wherein the tandem repeat comprises at least three copies of the codon.

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